

Department of Planning and Budget 2016 Fiscal Impact Statement

1. Bill Number: HB152

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Simon

3. Committee: Courts of Justice

4. Title: Virginia Conflict of Interest and Ethics Advisory Council; investigative authority.

5. Summary: The bill authorizes the Virginia Conflict of Interest and Ethics Advisory Council (the Council) to investigate alleged violations of the State and Local Government Conflict of Interests Act and the General Assembly Conflicts of Interests Act (the Acts). The Council may initiate an investigation upon its own motion or in response to a citizen complaint. Before beginning an investigation in response to a citizen complaint, the Council is required to conduct a preliminary inquiry to determine whether the facts stated in the complaint, when taken as true, are sufficient to show a violation of the Acts warrants an investigation. The bill details (i) the authority of the Council to issue subpoenas and the rights of the subject of an investigation; (ii) prerequisites for a finding of a violation of the Acts, including the conduct of a public hearing; and (iii) the requirements for referral of a violation of the Acts to appropriate authorities.

6. Budget Amendment Necessary: Yes, for additional positions and associated appropriations.

7. Fiscal Impact Estimates:

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2016	0	0	General
2017	\$175,000	2	General
2018	\$175,000	2	General
2019	\$175,000	2	General
2020	\$175,000	2	General
2021	\$175,000	2	General
2022	\$175,000	2	General

8. Fiscal Implications: Additional positions (two) and general expenses, estimated as an ongoing need at \$175,000 each year and described in the paragraph below, are likely needed to address the investigative authorities granted to the Council in the bill..

The Division of Legislative Services, who provides staffing support to the Council, states that the bill empowers the Council to investigate all alleged violations of the Act and also grants the Council the authority to launch investigations on its own. It allows the Council to issue subpoenas and hold hearings if necessary, and requires that all investigations be completed within 180 days of the initiation of the complaint. Further, the bill requires the Council to preside over any hearings held in relation to the investigation. The additional staff, an investigative chief and an investigative special assistant, would be needed to complete the required investigations. Additional nonpersonal costs will be incurred to cover the Council's reasonable and necessary expenses for traveling to and presiding over the hearings.

- 9. Specific Agency or Political Subdivisions Affected:** All state agencies as well as local agencies would be affected as they are all subject to the provisions of the various State and Local Government Conflict of Interests Act. General Assembly Members are affected as they are subject to the General Assembly Conflict of Interests Act.

10. Technical Amendment Necessary: None.

11. Other Comments: None.

1/15/2016